

Court of Appeals, State of Michigan

ORDER

People of MI v Karon Malcom X Cole

Docket No. 300695

LC No. 10-006204-01-FC

Michael J. Talbot
Presiding Judge

Christopher M. Murray

Cynthia Diane Stephens
Judges

The Court orders that the motion to respond to the answer to the motion to dismiss is GRANTED.

The Court further orders that defendant-appellant's motion to dismiss the appeal is DENIED. In accordance with our Supreme Court's order in *People v Smith*, 464 Mich 876 (2001), the trial court's August 10, 2011, opinion and order granting a new trial shall be reviewed along with defendant-appellant's issues on appeal. The time for filing defendant-appellant's reply brief is extended until 21 days after the Clerk's certification of this order.

Stephens, J., would grant the motion to dismiss and grant the motion to file a reply to the answer.



A true copy entered and certified by Larry S. Royster, Chief Clerk, on

OCT 28 2011

Date

Handwritten signature of Larry S. Royster in black ink.
Chief Clerk